



WILLIAM T FUJIOKA
Chief Executive Officer

County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration
500 West Temple Street, Room 713, Los Angeles, California 90012
(213) 974-1101
<http://ceo.lacounty.gov>

July 12, 2011

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**DEPARTMENT OF PUBLIC WORKS:
COPPER HILL PARK IMPROVEMENT PROJECT
ADOPT MITIGATED NEGATIVE DECLARATION AND
MITIGATION MONITORING AND REPORTING PROGRAM;
APPROVE REVISED PROJECT BUDGET; AND
ADOPT, ADVERTISE, AND AWARD
SPECS. 6816; CAPITAL PROJECT NO. 69537
(FIFTH DISTRICT) (3 VOTES)**

SUBJECT

Approval of the recommended actions will adopt the Mitigated Negative Declaration, approve the revised project budget, adopt plans and specifications, allow advertising for construction bids, and delegate authority to the Director of Public Works to award and execute a construction contract for the Copper Hill Park Improvement Project.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Consider the Mitigated Negative Declaration for the Copper Hill Park Improvement Project together with any comments received during the public review period, find that the Mitigated Negative Declaration reflects the independent judgment and analysis of the Board; adopt the Mitigation Monitoring and Reporting program, finding that the Mitigation Monitoring and Reporting Program is adequately designed to ensure compliance with the mitigation measures during project implementation, find on the basis of the whole record before the Board that there is no substantial evidence the

Board of Supervisors
GLORIA MOLINA
First District

MARK RIDLEY-THOMAS
Second District

ZEV YAROSLAVSKY
Third District

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Project will have a significant effect on the environment, and adopt the Mitigated Negative Declaration.

2. Approve the revised total Project budget of \$1,858,000 for the Copper Hill Park Improvement Project.
3. Approve the Project and adopt plans and specifications that are on file with the Department of Public Works for construction of the Copper Hill Park Improvement Project at an estimated construction cost of \$916,000, and instruct the Executive Officer of the Board to advertise the Project for construction bids to be received and opened on August 9, 2011, in accordance with the Instruction Sheet for Publishing Legal Advertisements.
4. Authorize the Director of Public Works to execute a consultant services agreement with the apparent Lowest Responsive and Responsible Bidder to prepare a baseline construction schedule for a not-to-exceed fee of \$2,000, funded by the existing Project funds.
5. Authorize the Director of Public Works to determine, in accordance with the applicable contract and bid documents, whether the apparent Lowest Responsive and Responsible Bidder has timely prepared a satisfactory baseline construction schedule and satisfied all conditions for contract award, including the criteria adopted by your Board for contract award. Upon determination that all such conditions have been satisfied, authorize the Director of Public Works to award and execute the construction contract, in the form previously approved by County Counsel, to the apparent Lowest Responsive and Responsible Bidder, and to establish the effective date of the contract upon receipt by acceptable performance and payment bonds and evidence of required contractor insurance.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the recommended actions will adopt the Mitigated Negative Declaration (MND), approve the revised Project budget, adopt the plans and specifications, allow advertising for construction bids, and delegate authority to the Director of Public Works to award and execute a construction contract for the Copper Hill Park Improvement Project.

The proposed Project includes the initial development of a new 4-acre park that will provide passive recreational opportunities for residents in the unincorporated area of Santa Clarita. The park will be located at 21380 Copper Hill Drive, Santa Clarita, California 91350.

The initial development (Phase I) will include site grading, a new 16 space parking lot, low impact development drainage improvements, security lighting, walkways with a stairway, landscaping, and new roadway signage, striping, and a retaining wall along Copper Hill Drive. Plans and specifications for the Project have been completed, and the Department of Public Works (Public Works) is recommending that your Board adopt and advertise these documents for construction bids.

The recommended MND identified certain impacts caused by the Project's Phase I that can be mitigated to a level below significance (see Environmental Documentation). Future park improvements (Phase II) include an enlarged parking lot, a restroom, basketball court, play area, gazebo, and picnic area. Although Phase II improvements are unfunded at this time, the MND identifies impacts that would be caused by Phase II improvements, which can also be mitigated to a level below significance.

In order to expedite construction of the Project, it is recommended that your Board authorize the Director of Public Works to award and execute a construction contract to the Lowest Responsive and Responsible Bidder (as defined in the Facts and Provisions/Legal Requirements Section of this letter) if the low bid can be awarded within the total Project budget approved by your Board. If the low bid cannot be accommodated within the approved total Project budget, a contract will not be awarded, and Public Works will return to your Board with a revised Project scope and/or other funding recommendations.

The proposed consultant services agreement requires the apparent Lowest Responsive and Responsible Bidder to prepare a baseline construction schedule that conforms to the County's schedule specification, which is critical to successfully managing construction activities by both the contractor and the County. The bid specifications provide that if the apparent Lowest Responsive and Responsible Bidder fails to complete an acceptable schedule, the Director of Public Works may return to your Board to recommend that the bidder be determined nonresponsive and recommend awarding the construction contract to the next Lowest Responsive and Responsible Bidder, contingent on that bidder completing a baseline schedule that conforms to the County's specifications.

It is anticipated that construction will begin in October 2011 and be completed in May 2012.

Green Building/Sustainable Design Program

The Project will support your Board's Sustainable Design Program by incorporating low impact development features, such as permeable pavement in the parking lot to capture, filter, and percolate stormwater runoff on-site.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1); Children, Family, and Adult Well-Being (Goal 2); and Community and Municipal Services (Goal 3), by investing in public infrastructure that will enhance recreational opportunities for County residents.

FISCAL IMPACT/FINANCING

The total Project cost, including programming, plans and specifications, plan check, construction, consultant services, miscellaneous expenditures, and County services, is currently estimated at \$1,858,000, which reflects an increase of \$500,000 from the previously approved Project budget of \$1,358,000 to fund current estimated construction costs based on the completed design and associated soft costs. The Project Schedule and Budget Summary are detailed in Attachment A.

Sufficient appropriation is available in the Fiscal Year (FY) 2011-12 Capital Project/Refurbishment Budget for the Copper Hill Park Improvements Project (Capital Project No. 69537) to fully fund the Project. The Project is funded by \$900,000 of Park-In-Lieu-Fees, \$500,000 of Utility User's Tax Funds, and \$458,000 of net County cost derived from Proposition 62.

Operating Budget Impact

Following completion of the Project, the Department of Parks and Recreation (Parks and Recreation) will maintain the park improvements. Parks and Recreation anticipates one-time operating costs of \$14,000 for maintenance equipment/supplies, and ongoing operating costs of \$62,000 annually for recreation and maintenance staff, custodial supplies, and utilities. Parks and Recreation will work with the Chief Executive Office to confirm the appropriate level of funding and request the one-time and ongoing funds in its FY 2011-12 Proposed New Facilities Budget request.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Pursuant to your Board's Civic Art Policy adopted on December 7, 2004, as amended, the Project budget includes 1 percent of design and construction costs to be allocated to the Civic Art Fund.

Applicable law, including the State Public Contract Code, requires the County to award construction contracts to the Lowest Responsive and Responsible Bidder, which refers to the firm that: 1) submits the lowest bid price; 2) is deemed by the County to be "responsive" to specific criteria under the solicitation, including, but not limited to, licensure, bonding, and insurance requirements; and 3) is determined by the County to be a "responsible" bidder by exhibiting the quality, fitness, capacity, experience, and trustworthiness, to satisfactorily perform the work required under the bid solicitation. As specified in the bid documents, the lowest bid price shall be determined by adding the lump sum bid, the extended overhead daily rate multiplied by 60 calendar days, and the Local Small Business Enterprise preference (5 percent of the lowest bid price up to a maximum of \$50,000) if applicable.

A standard construction contract, in a form previously approved by County Counsel, will be used. The contract will contain terms and conditions supporting your Board's ordinances, policies, and programs, including, but not limited to, County's Greater Avenues for Independence and General Relief Opportunities for Work Programs (GAIN/GROW); Board Policy 5.050; Contract Language to Assist in Placement of Displaced County Workers; Board Policy 5.110; Reporting of Improper Solicitations; Board Policy 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code Chapter 2.202; and the Los Angeles County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; and the standard Board-directed clauses that provide for contract termination or renegotiation.

To ensure that the contract is awarded to the Lowest Responsive and Responsible Bidder with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the contractor's State License Board, labor law/payroll violation, and debarment actions. As provided in Board Policy 5.140, the information reported by the contractor will be considered before making a recommendation to award.

The Project specifications contain provisions requiring the contractor to report solicitations of improper consideration of County employees and allowing the County to terminate the contract if it is found that the contractor offered or gave improper consideration to County employees.

The plans and specifications include the contractual provisions and material requirements necessary for this Project and are on file with the Architectural Engineering Division of Public Works.

ENVIRONMENTAL DOCUMENTATION

In compliance with the California Environmental Quality Act (CEQA), an Initial Study was prepared for the proposed Project, including the proposed initial development (Phase I) and future improvements (Phase II). The Initial Study identified potentially significant effects of the Project on biological resources, cultural resources, and geology. Prior to the release of the proposed MND and Initial Study for public review, revisions in the Project were made or agreed to which would avoid these effects or mitigate them to a point where clearly no significant effects would occur, as follows:

- **Biological Resources:** Provide a Native Plant Exclusion Zone to protect the existing Tucker Oak Grove from any disturbance during the construction of the proposed Project;
- **Cultural Resources:** Provide archaeological monitoring of all earth disturbances greater than two feet in depth; implement established protocols in the event of the inadvertent discovery of archaeological materials, paleontological resources, and/or human remains; and
- **Geology and Soils:** Design and construct the Project in accordance with the Project specific geotechnical report and applicable sections of the California Building Code; and implement Best Management Practices during construction for erosion and dust control.

The Initial Study and Project revisions showed that there is no substantial evidence, in light of the whole record before the County, that the Project as revised may have a significant effect on the environment. Based on the Initial Study and Project revisions, an MND was prepared for this Project. The proposed Mitigation Monitoring and Reporting Program (Appendix C of Attachment B) was prepared to ensure compliance with the environmental mitigation measures included as part of the final MND (Attachment B) relative to these areas during Project implementation. There has been no substantial revision of the MND since public circulation that would result in a new

avoidable significant effect and previously proposed mitigation measures and Project revisions will ensure that all significant environmental effects are reduced to below the level of significance.

Public Notice was published in The Signal Newspaper on September 13 and 19, 2010, pursuant to Public Resources Code Section 21092 and posted pursuant to Section 21092.3. During the 30-day comment period, which ended on October 12, 2010, five written responses were received from the following public agencies: County of Los Angeles' Sheriff Department, Sanitation Districts, Fire Department, Parks and Recreation, and the City of Santa Clarita. No comments were received from members of the public. All comments received, as well as responses to the comments, are contained in the final MND (Appendix D of Attachment B) and have been sent to the commenting public agencies pursuant to Section 21092.5 of the Public Resources Code.

The location of these documents and other materials constituting the record of the proceedings upon which your Board's decision is based in this matter are filed with the County of Los Angeles Department of Public Works, Project Management Division I, 900 South Fremont Avenue, 5th Floor, Alhambra, California 91803. The custodian of such documents and materials is David Palma of Public Works.

The Project is not exempt from payment of a fee to the California Department of Fish and Game pursuant to Section 711.4 of the Fish and Game Code to defray the costs of fish and wildlife protection and management incurred by the California Department of Fish and Game. Upon your Board's adoption of the MND, Public Works will file a Notice of Determination in accordance with Section 21152(a) of the California Public Resources Code and pay the required filing and processing fees with the Registrar-Recorder/County Clerk of approximately \$2,119.

CONTRACTING PROCESS

Advertising for construction bids will be in accordance with the County's standard Instruction Sheet for Publishing Legal Advertisements (Attachment C).

As requested by your Board on February 3, 1998, this contract opportunity will be listed on the Doing Business with Us website.

The Honorable Board of Supervisors
July 12, 2011
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Participation by Community Business Enterprises (CBE) in the Project is encouraged through Public Works' Capital Projects' CBE Outreach Program and by monitoring the good faith efforts of bidders to utilize CBE.

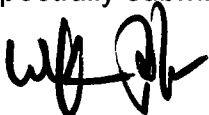
IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of the recommended actions will have no impact on current County services or projects.

CONCLUSION

Please return one adopted copy of this letter to the Chief Executive Office, Capital Projects Division; the Department of Parks and Recreation; and the Department of Public Works, Project Management Division I.

Respectfully submitted,



WILLIAM T. FUJIOKA
Chief Executive Officer

WTF:RLR:DJT
SB:VM:cvb

Attachments (3)

c: Executive Office, Board of Supervisors
County Counsel
Arts Commission
Parks and Recreation
Public Works

July 12, 2011

ATTACHMENT A

**DEPARTMENT OF PUBLIC WORKS:
COPPER HILL PARK IMPROVEMENTS PROJECT
ADOPT MITIGATED NEGATIVE DECLARATION AND
MITIGATION MONITORING AND REPORTING PROGRAM;
APPROVE REVISED PROJECT BUDGET; AND
ADOPT, ADVERTISE, AND AWARD
SPECS. 6816; CAPITAL PROJECT NO. 69537**

I. PROJECT SCHEDULE

Project Activity	Scheduled Completion Date	Revised Completion Date
Establish Capital Project	06/16/09*	-
Construction Documents	08/06/09	03/31/11*
Jurisdictional Approvals	09/17/09	05/19/11*
Award Construction Contract	12/29/09	09/15/11
Construction Start	01/29/10	10/03/11
Substantial Completion	09/27/10	05/31/12
Final Acceptance	11/04/10	07/31/12

* actual completion date.

Attachment A

July 12, 2011

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Project Activity	Board Approved Project Budget	Impact of This Action	Revised Project Budget
Land Acquisition	\$ 0	\$ 0	\$ 0
Construction			
Low Bid Construction Contract	\$ 695,000	\$ 221,000	\$ 916,000
Job Order Contract	0	0	0
Change Orders	69,500	\$ 22,100	91,600
Departmental Crafts	0	0	0
Youth Employment	0	0	0
Construction Consultants	0	0	0
Misc. Expense: State Water Resources Board	1,235	\$ 500	1,735
Telecomm Equip – Affixed to Building	0	0	0
Civic Arts	7,630	2,446	10,076
Other: Utility Connection Fees	164,500	(2,446)	162,054
Subtotal	\$ 937,865	\$ 243,600	\$1,181,465
Programming/Development	\$ 47,500	\$ 0	\$ 47,500
Plans and Specifications	\$ 90,000	\$ 60,000	\$ 150,000
Consultant Services			
Site Planning	\$ 0	0	\$ 0
Hazardous Materials	0	0	0
Geotech/Soils Report and Soils Testing	10,000	\$ 5,750	15,750
Material Testing	0	\$ 15,750	15,750
Cost Estimating	0	0	0
Topographic Surveys	0	0	0
Construction Management	0	0	0
Construction Administration	0	0	0
Environmental	55,615	8,500	64,115
Move Management	0	0	0
Equipment Planning	0	0	0
Legal	0	0	0
Construction/Change Order	0	0	0
Subtotal	\$ 65,615	\$ 30,000	\$ 95,615
Miscellaneous Expenditures	\$ 2,250	\$ 3,000	\$ 5,250
Jurisdictional Review/Plan Check/Permit	\$ 3,500	\$ 25,669	\$ 29,169
County Services			
Code Compliance & Quality Control (Inspection)	\$ 37,170	\$ 47,830	\$ 85,000
Design Review	0	0	0
Design Services	0	0	0
Contract Administration	22,845	\$ 13,402	36,247
Project Management	130,655	\$ 56,298	186,953
Project Management Support Services	0	0	0
ISD Job Order Contract Management	0	0	0
DPW Job Order Contract Management	0	0	0
ISD ITS Communications	0	0	0
Project Security	0	0	0
Project Technical Support	10,783	\$ 8,574	19,357
Office of Affirmative Action	3,750	\$ 3,000	6,750
County Counsel	0	0	0
Other: Contract Recovery	6,067	8,627	14,694
Subtotal	\$ 211,270	\$ 137,731	\$ 349,001
TOTAL	\$1,358,000	\$ 500,000	\$1,858,000

July 12, 2011

ATTACHMENT B

**DEPARTMENT OF PUBLIC WORKS:
COPPER HILL PARK IMPROVEMENTS PROJECT
ADOPT MITIGATED NEGATIVE DECLARATION AND
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SPECS. 6816; CAPITAL PROJECT NO. 69537**

**MITAGATED NEGATIVE DECLARATION
(See Enclosure)**

July 12, 2011

ATTACHMENT C

**DEPARTMENT OF PUBLIC WORKS:
COPPER HILL PARK IMPROVEMENTS PROJECT
ADOPT MITIGATED NEGATIVE DECLARATION AND
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SPECS. 6816; CAPITAL PROJECT NO. 69537**

PUBLISHING LEGAL ADVERTISEMENTS: In accordance with the State of California Public Contract Code Section 20125, you may publish once a week for 2 weeks in a weekly newspaper or ten times in a daily newspaper. Forward three reprints of this advertisement to Architectural Engineering Division, Department of Public Works, 900 South Fremont Avenue, 8th Floor, Alhambra, California 91803-1331.

**OFFICIAL NOTICE
INVITING BIDS**

Notice is hereby given that the Director of Public Works will receive sealed bids for furnishing all materials, labor, and equipment required to complete construction for the following work:

<u>SD</u>	<u>SPECS</u>	<u>PROJECT</u>	<u>BID DOC</u> <u>FEE</u>	<u>DATE OF BID</u> <u>OPENING</u>
5	6816	Copper Hill Park Improvements Project 21380 Copper Hill Drive Santa Clarita, CA 91350	\$75	August 9, 2011

Copies of the project manual and drawings may be obtained at the Cashier's office, Department of Public Works, 900 South Fremont Avenue, Mezzanine, Alhambra, California 91803, for the fee stated above. For bid information, please contact Ms. Loydi Nguyen of Architectural Engineering Division at (626) 458-2180. Each bid shall be submitted on the required form, sealed, and filed at the Cashier's office no later than 10:45 a.m. on the date indicated. Bids will be publicly opened, examined, and declared by the Department of Public Works at 11 a.m. on this date in the Main Conference Room, 5th Floor, at 900 South Fremont Avenue, Alhambra, California 91803.

This project requires the general contractor firm to possess an A or B license classification at the time of bid.

The general contractor and all of its subcontractors of any tier shall be required to pay prevailing wages to all workers employed in the execution of the project in accordance with Labor Code Section 1770 et seq. Copies of the prevailing rate per diem wages are on file at the Department of Public Works, which shall be made available to any interested party upon request.

PREBID CONFERENCE

The Department of Public Works' Project Management Division will hold a prebid conference at 10 a.m. on July 26, 2011, at the project site, 21380 Copper Hill Drive, Santa Clarita, California 91350, to provide information on the scope of work and answer basic questions that the potential bidders may have. Detailed questions or additional information must be submitted in writing to Ms. Loydi Nguyen with the Department of Public Works' Architectural Engineering Division at Fax No. (626) 979-5311 or you may contact her at (626) 458-2180.

OTHER INSTRUCTIONS

The County supports and encourages equal opportunity contracting. The contractor shall make good faith efforts as defined in Section 2000 of the Public Contract Code relating to contracting with Community Business Enterprises.

The Board of Supervisors reserves the right to reject any or all bids or to waive technical or inconsequential errors and discrepancies in bids submitted in the public's interest.

Si necesita información en español, por favor llame al Telefono (626) 458-2563.



Upon 72 hours notice, the Department of Public Works can provide program information and publications in alternate formats or make other accommodations for people with disabilities. In addition, program documents are available at the Department of Public Works' main office in Alhambra (900 South Fremont Avenue), which is accessible to individuals with disabilities. To request accommodations ONLY or for more Americans with Disabilities Act (ADA) information, please contact the Department of Public Works' ADA Coordinator at (626) 458-4081 or TDD (626) 282-7829, Monday through Thursday, from 7 a.m. to 5:30 p.m.



Con 72 horas de notificación, el Departamento de Obras Públicas puede proveerle información y publicaciones sobre el programa y formatos alternativos o hacer adaptaciones para personas con incapacidades. Además, documentación sobre el programa está disponible en la oficina principal del Departamento de Obras Públicas localizada en Alhambra (900 South Fremont Avenue), la cual es accesible para personas con incapacidades. Solamente si necesita solicitar adaptaciones o para mas información del ADA, póngase en contacto con nuestro Coordinador del ADA al (626) 458-4081 o TDD (626) 282-7829, de lunes a jueves de las 7 a.m. a 5:30 p.m.

By order of the Board of Supervisors of the County of Los Angeles, State of California,
dated July 12, 2011.

Specs. 6816 SACHI A. HAMAI, EXECUTIVE OFFICER
OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF LOS ANGELES